

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

SCOTT TURNAGE, CORTEZ D. §
BROWN, DEONTAE TATE, JEREMY S. §
MELTON, ISSACCA POWELL, KEITH §
BURGESS, TRAVIS BOYD, TERRENCE §
DRAIN, and KIMBERLY ALLEN on behalf §
of themselves and all similarly situated §
persons, §

Plaintiffs, §

v. §

BILL OLDHAM, in his individual capacity §
and in his official capacity as the Sheriff of §
Shelby County, Tennessee; ROBERT §
MOORE, in his individual capacity and in §
his official capacity as the Jail Director of §
the Shelby County, Tennessee; CHARLENE §
McGHEE, in her individual capacity and in §
her official capacity as the of Assistant Chief §
Jail Security of Shelby County, Tennessee; §
DEBRA HAMMONS, in her individual §
capacity and in her official capacity as the §
Assistant Chief of Jail Programs of Shelby §
County, Tennessee; SHELBY COUNTY, §
TENNESSEE, a Tennessee municipality; §
and TYLER TECHNOLOGIES, INC., a §
foreign corporation, §

Defendants. §

Case No. 2:16-cv-02907-SHM/tmp
Consolidated With
Case No.: 2:17-cv-02015-JTF/dkv
And Consolidated With
Case No. 2:17-cv-02795-SMH/tmp

**DEFENDANT TYLER TECHNOLOGIES, INC.'S MOTION TO DISMISS THIRD
AMENDED CLASS ACTION COMPLAINT**

Defendant Tyler Technologies, Inc. (“Tyler”) moves this Court to dismiss the Third Amended Class Action Complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiffs bring negligence claims against Tyler. Plaintiffs’ conclusory allegations are not sufficient to state negligence claims against Tyler as a matter of law. In addition, the negligence claim is precluded by the economic loss doctrine. Tyler relies upon a memorandum in support of its Motion to Dismiss submitted contemporaneously herewith.

WHEREFORE, Tyler moves this Court to grant its Motion to Dismiss and for other such relief to which it may be entitled.

Dated: August 20, 2018

Respectfully submitted,

s/ Bradley E. Trammell

Bradley E. Trammell (# 13980)

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 20, 2018, a true and correct copy of the foregoing document was forwarded by electronic means through the Court's ECF System to:

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